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University of San Diego School of Law Student Bar Association

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The Woolsack

The University of San Diego School of Law

Vol. 12 No. 6

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February 6, 1975

89% Pass Bar

Results on the Summer California State Bar Examination released today (November 26) demonstrate dramatic achievement by recent graduates of the University of San Diego School of Law.

Of those taking the exam for the first time, over 83 percent passed, and graduates of the Law School's Day Division attained an outstanding 89.3 percent passage rate. Of the 5374 applicants throughout the state who took the Bar Exam, 3,316 (or 61.7 percent) passed. Normal state-wide passage rates for the Summer California Examination, which is one of the most difficult in the nation, are about 55 percent overall and 65 percent of those sitting for the Exam the first time. Graduates of nationally accredited law schools, such as the University of San Diego, usually perform better than

students from non-accredited law schools; but a passage rate approaching 90 percent is rare for any California law school.

The Dean of USD Law School, Donald T. Weckstein, attributes the success of graduates to the excellent quality of students and faculty, and consequently, of the educational program which USD has enjoyed in recent years. He commented that the Bar Examination in California, unlike those in many states, tests essentially the same qualities that good law schools seek to teach and test. Therefore, performance on the Bar Exam is a relevant, although not a conclusive, criterion of law school quality. Dean Weckstein also noted that there is a high correlation between law school grades and success on the Bar Examination.

Senator Ervin at USD

The Honorable Sam J. Ervin, Jr., former Chairman of the Senate Watergate Hearings, will speak at the University of San Diego on February 13 at 8 p.m. in the Camino Theater. The public is invited to attend. Tickets will be available at the door the night of the performance (only) for \$.75 for non-USD students with I.D. and \$1.50 general admission. There are no advance ticket sales.

Senator Ervin, who recently retired

as the senior Senator from North Carolina, has spent most of his life as a legislator and jurist. He recently gained wider public notice from his televised chairmanship of the Senate Select Committee to Investigate Presidential Campaign Practices.

His appearance at USD is sponsored jointly by the Graduate Students Association and the Associated Students.

Evening Division

The Night Student Faculty Relations Committee is planning a survey to determine the causes of the different success rates on the Bar for day and evening students. Questions are being formulated now which will be sent to recent alumni of the evening division. The Committee hopes that information gathered from the study will help the school make future decisions about curriculum, faculty and services for the night student. It should also aid evening students in deciding such things as whether to work right up to taking the bar or take time off for review courses.

The Committee is also planning a brochure to call attention to the special skills night students have to offer attorneys. Because most night students are employed and have families in San Diego, they bring community contacts and diverse employment backgrounds to their practice of law. The dedication it takes to work and go to school is also seen as a plus when job hunting, both for student clerking and post graduation placement.

As a result of a poll of night student opinion conducted last spring, several recommendations have been made to the Law School, including the need for expanded library hours, changes in curriculum, reduced use of adjunct professors for basic courses and greater administration services. Administration response has been positive, with some curriculum expansion and changes already accomplished, and Dean Lazerow now on campus four nights a week to assist

evening students. The faculty has approved the addition of a night student as a voting member of the curriculum committee as well. The results of evening division input is already being felt with approval of a modified clinical semester program for interested night students.

Having discovered that most evening students don't have access to the Student Bar Association newsletter, the Evening Committee and the Night Vice President published the first issue of *The Nightletter*. The *Nightletter* focussed on news, events and opinions of special interest to the evening division. Student response was overwhelmingly positive and future issues are planned.

Clearly the Evening division is fast becoming a more equal part of USD Law School. More and more students fully qualified to be day students are choosing the evening school because of the flexibility it gives them to work and study. Many are working in law related fields while in school, combining practice and theory. Several professors spoken to have said that their night classes are the most exciting to teach because of the high level of student interest. And, students who don't work full time but choose to stay in the Evening Division say that the course load allows them to concentrate on the materials in greater depth while remaining human beings.

With sufficient input from evening alumni, the law school community can look forward to an even stronger Evening Division in years to come.



Michael Reed and Maurice Watson

The San Diego Bar Association has announced the results of its November 22, 1974 survey. Michael Reed, a local attorney, and Maurice T. Watson, President of the County Bar Association, were interviewed at a press conference concerning the results of the poll.

Perhaps the most interesting data concerning the survey are the income figures. Of the 1160 questionnaires returned, 60 percent of the attorneys indicated that their earnings totaled less than \$25,000 last year. One-fourth of the Bar made less than \$15,000. Only two percent of the attorneys surveyed indicated salaries of over \$100,000 last year. When questioned about the income figures Mr. Reed stated that the public should realize that many attorneys "make the same or less than a blue collar worker."

In polling attorneys concerning the amount of work done for their income, 65 percent work between 40 and 60 hours per week. Even though the Bar may be working hard only 5 percent said that they work more than 60 hours per week.

By correlating income with job satisfaction the survey revealed that money does buy happiness. Over 55 percent of those earning less than \$10,000 indicated that they were not satisfied with their job. However, of those earning over \$100,000 per year the vast majority indicated that they are very satisfied with their job.

Reflecting a concern about income figures, a majority of the Bar indicated that the Bar Association should take a position concerning the increasing number of lawyers in the County. 97 percent indicated that some sort of action should be taken to discourage the growth of the Bar in San Diego County. Only 3 percent wanted to encourage more individuals to become attorneys.

Mr. Reed stated that he was overwhelmed by the results of the poll on political activity. When asked if they felt the Bar should be more active at the legislative level, 74 percent indicated that the Bar should be more politically involved. 77 percent of the attorneys said that the Bar Board should not refrain from taking positions on a controversial issue

merely because politics may be involved.

Most members of the Bar feel that attorneys should be polled concerning their preference of candidates for the judiciary. Also, Bar members felt that they should be polled as to their preference of candidates in contested judicial election. Overall, 80 percent of the attorneys indicated that members of the Bar should play a larger role in the selection of judges.

Upon surveying the type of law practiced in the County, 45 percent of the attorneys stated that they are in private practice firms. 17 percent of the attorneys indicated that they are in incorporated private practice firms, and 19 percent are sole practitioners. 7 percent do prosecution work. Only 1 percent of the attorneys polled do full time public interest work. However, two-thirds of the Bar does some pro bono work. Most attorneys spend one to three hours per week on volunteer work.

Only 4 percent of the attorneys in San Diego County are women. This statistic illustrates the great need for women attorneys in San Diego County.

What worries the members of the San Diego Bar most in regard to their profession? Most attorneys felt that the critical problems facing the Bar are public image, discipline, and employment. When asked what could be done about the image of the legal profession, almost one-half indicated that legal ethics should be emphasized. Only 10 percent felt that lowering the cost of legal services would improve the Bar's image.

When asked about prepaid legal services, President Watson stated that the Bar is taking steps to implement prepaid legal services. Watson feels that prepaid legal services will play a major role in the Bar's future.

This survey is the first of its kind conducted in San Diego. It is also the only one of its type to have been done in the United States in the last five years. Obviously, more studies are needed. President Watson stated that a follow-up survey — especially one monitoring income figures — is likely to be seen next years.

The results of the survey are on reserve by the Woolsack at the law library.

WOOL-SACK. The seat of the Lord Chancellor of England in the House of Lords, being a large square bag of wool, without back or arms, covered with a red cloth. — *Black's Law Dictionary*

From the Editor

Free Lunch

"There is no such thing as a free lunch."

— Milton Friedman

Last year at this time the Woolsack received a letter complaining about the messy and disorganized conditions in the USD law library. The writer noted that this could be remedied by a minimum of effort by the students. This year as we progress into the semester the same situation exists. After the first year legal research classes receive their research projects it will worsen. Nevertheless, any efforts that the students of USD could make would be futile. This is primarily because the library is being overtaxed to an extreme. In the fall of 1973 the law library was expanded tremendously. Many students greeted the new and more comfortable facilities with enthusiasm. To our dismay the library has become so cramped that research is a tremendous chore. Besides the overcrowding, books are constantly disorganized or missing. Regrettably, this is not due to the USD students' taking advantage of their own facilities. The principle factor contributing to this overcrowding and accompanying problems is the tremendous influx of Cal Western law students who constantly use our library. As I write this, one-third to one-half of those around me are non-USD students. If their presence is any indication, it would seem that their one Black's Law Dictionary and two chairs in inadequate to meet their library needs. USD is not the one to make up for C.W.'s shortcomings. Our library is barely sufficient to support our own 850+ students and we cannot carry this extra burden.

This may sound selfish. However, it is abundantly clear that our library cannot support two schools. It is generally expected that a law school will support the local Bar's library needs and we welcome the San Diego Bar to take advantage of our facilities. Also, any law school should be willing to allow non-school law students to use their facilities if the other school lacks a certain look, looseleaf service, or reporter. It is rightly thought that a lawyer or law student should be able to utilize any other law school's library facilities wherever he may be in the country (this is especially true with summer research projects away from school). But that is where the free ride should stop. The increased burden added by outside law students who constantly use our library causes overcrowding, increased disappearance and wear on books, and disorganization. These are costs that must be borne by someone. USD students must operate under such conditions. We have been greeted annually with tuition increases. Thus, besides bearing the implicit costs, we pay for the explicit costs of such a situation. It is clear that USD cannot continue to subsidize other schools and maintain our high academic standards. It is hoped that steps will be taken by both Cal. and USD to remedy the situation. MJS

The Bar Exam: A Dissent

By Jonathan H. Sinnreich

It lasts eight weeks. Your task is to master every detail of a vast body of arbitrary rules and procedures. Your hopes of success lie not in superior ability, but in your capacity to endure tedium and perhaps in your sense of humor.

Sound like Fort Dix? Each year the New York State Board of Law Examiners is required to conduct two examinations of candidates for admission to the New York Bar. And each year thousands of just-graduated law students, the ink not yet dry on their doctor-of-jurisprudence diplomas, celebrate their graduations by enrolling in one of several cram courses designed to secure their places among the fortuitous who pass the exam.

The principal question raised by the cram courses is whether the whole exercise is worth the trouble. The bar examination is intended to insure the professional competence of attorneys admitted to practice in the State of New York.

In fact, no such post-graduate screening process is justified. In order to qualify to take the bar examination, a candidate must either be a graduate of an accredited law school or have spent one year in law school and three more years of apprenticeship in a law office. Competition to get into an accredited law school is brutal. Three years of law-school exams eliminate the marginal students.

A second justification for the bar exam is that it requires applicants to to familiarize themselves with New York substantive law. This is thought to be especially important to the large number of applicants from out-of-state law schools who have learned "national law." Actual legal practice belies this excuse.

Certainly New York law differs from national law in many respects. For example, New York requires only two witnesses to attest to a will, while another state may require three. But no freshly admitted lawyer will rely on his memory when confronted with a legal problem. (Indeed, to do so might constitute malpractice, a subject not covered on the bar exam.) He will go to the books. And, however different New York law may be from other law, law books and legal research techniques are the same everywhere. A candidate for the bar is required to have spent a minimum of 96 calendar weeks, including not less than 1,280 classroom hours, learning to find and apply the law. What is gained by two months of rote memorization of legal trivia?

Finally, it is questionable whether the bar examination in its present format measures any legal skill. The examination purports to test an applicant on "any questions which a lawyer in general practice may reasonably expect to meet." Given the enormous scope of the subjects covered and the tendency of the examiners to dwell on the most obscure legal anomalies, a satisfactory performance on the exam regards only memory. The extent of the distorted priorities imposed by the examination is perhaps best illustrated by the fact that over thirty hours of lecture time are devoted to the archaic rules for devising property, while only three hours are spent lecturing on United States and New York constitutional and administrative law.

It might be argued, in the wake of Watergate, that now is no time to eliminate barriers to bar admittance. But it is precisely in the false sense of security instilled by traditional bar selection criteria that the public is most seriously injured. The Watergate scandals were the product of ethical obtuseness, not of professional incompetence.

It is no coincidence that, although the canons of ethics are designated as one of the thirty subjects to be covered by the examination, it has been so unimportant as a subject of past examinations that it receives not a single hour of attention out of a total of over 150 hours of cram-course lectures.

Jonathan H. Sinnreich is to take the bar exam, which is being given tomorrow and Wednesday.

— N.Y. Times, 7-21-74

Letters To The Editor

Yes, I Shed a Tear

Yes, I shed a tear

As the new semester began I noticed one of my classmates was missing. No one seemed to know where he was. Some students seemed curious because this student was the class clown. That is, when he came to class.

It was the next afternoon I learned the student committed suicide. Why? My head swarmed with possible reasons. Was it the pressures of law school? Was it personal problems? Family?

I just know that he was a very troubled person who was trying to get a grip on himself and what was happening around him. Some of us tried to ignore him, others just laughed. Only a few persons took the time to extend a warm hand of help and understanding. Were we too caught up in our own world

of studying and trying to make law review? Had we grown a calloused skin, courtesy of law school, too thick to realize this person was crying for attention and real friendship?

I feel a loss by this person's absence ... not only of human life but a part of myself, that self that used to be so quick to help other persons but now lies dormant behind walls of insensitivity.

This sensitivity for people is an essential part of my being that I have been vigorously fighting to retain throughout my legal studies. But I fear I am slowly losing this sensitivity to the environment around me. As I shed a tear of sorrow and compassion for him I silently vow to win the battle against the cold, dead-eat-dog environment that threatens to suck this lifeblood from me.

Nanci Clinch

Dicta Dolly

Editor's Note: The Woolsack allowed the Women in Law to insert a flyer in the last issue concerning the recent controversy surrounding the "Dicta Girl." The Woolsack received the following responses:

Dear Editor

This is patently ridiculous! Men will always like women. Women will always want to be liked. If the "Dicta

Dolly" doesn't object, it is no one else's business.

Wayne Hoy,
Attorney at Law

Dear Editor:
F★CK YOU.

Anonymous Attorney

To the WOOLSACK Editors:

We are deeply concerned about the blatantly sexist remarks being made by certain professors and students in first-year classes. Women have suffered through a long history of oppression and inequality much like that of nonwhite people in our society. It is interesting to note that racist jokes in the classroom would not be tolerated by professors or students, but sexist remarks are laughed at and applauded. Such behavior by highly "intelligent"

college graduates and potential members of the legal profession can only be categorized as ignorant, insensitive, and extremely immature. Sexism is not a joke. For perpetrator as well as target it, is a very real restriction on the freedom of human individuality.

Jim McElroy
Andrea Ponticelli
Mary Mix
Elly Newman
Carol Gliberto
Laurie Rucoba



The WOOLSACK

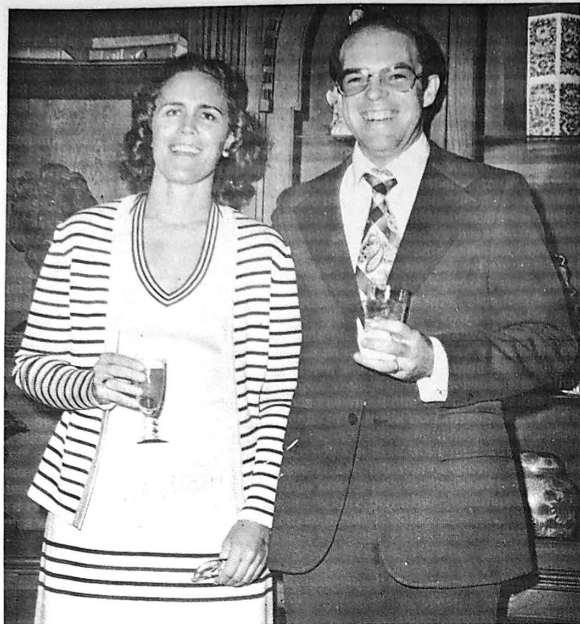
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Moot Courting

Pictured are Ann Higginbotham and Tom Grady, winners of this year's International Law Competition. Participants represented countries disputing trans-boundary water pollution (whatever that is) before the "International Court of Justice".

Ann won first place and the "Best Oralist" award while Tom placed second. An Higginbotham, Tom Grady and Janelle Davis will represent USD at the Regional Competition on March 13th and 14th at - Loyola Law School.

Law Review

Jack Wm. Hodges Editor-in-Chief

The purpose of this article is to introduce the San Diego Law Review to those students unfamiliar with its activities. A law review is a specialized publication, one dealing exclusively with the legal profession and put out by the students of a law school. Besides providing the legal community with a constant source of update information on the law, a law review reflects directly on the abilities and prestige of the law school and its students. The San Diego Law Review is growing and improving along with the Law School itself. One of our more pleasant tasks is to encourage the participation of students in Review activities, working toward a goal of more and better personnel. With this in mind, a better understanding of the Review is important to the student body and to the continued improvement of the Review.

The San Diego Law Review is almost entirely student run. We are currently in our 12th year, publishing 1,000 pages in four issues during the 1974-1975 school terms. The content of the Review is comprised of both student and "lead" articles, practicing attorneys and/or scholars in various areas making up the latter group. The decision of what articles to print and what format they should follow is entirely up to an "Editorial Board," currently comprised of 12 students in their last year at law school. The editors of the Review have complete responsibility for the preparation, editing and printing of all articles. New editors are chosen by the outgoing Editorial Board, and we on Volume 12 will soon turn to the task of choosing our successors for Volume 13. By working with the Dean and our three faculty advisors, Professors Bratton, Hildreth and Horton, each year's Board attempts to provide a varied and meaningful collection of articles which will be of use to the legal community.

In Volume 12, for example, we hope to cover a number of current problems. Issue number 1, which was distributed to the public in early December of last semester, dealt exclusively with Class Actions and their changing role in our society. Issue 2, due out print by mid-March, will be divided into two sections. All lead articles will be devoted to the vital topic of Legal Ethics and Professionalism for attorneys. In light of Watergate, such noted people as former Justice Clark of the Supreme Court and Dean Donald Weckstein, as well as Bar Association officials, will be contributing articles. The student section of the issues on the other hand will be "open," containing articles on various topics. Seven students from 2nd and 3rd year, day and night, will have published contributions.

Issue 3 will be the Review's seventh annual symposium on the Law of the Sea. The San Diego Law Review has become internationally known in the past years for its coverage of this important area, for it is virtually the only review that covers the topic on a yearly basis. Last summer we sent one of our Editors to the U.N. Law of the Sea Convention in Caracas, who can attest to the praise received by USD for its contribution to the field. This year the top names in Law of the Sea will be joined in print by two of our students. We expect to have the book out by late April.

The final issue of Volume 12 will be entirely open. Both lead and student works can be expected to cover varied and topical subjects. Work is currently progressing on issue 4 and the next time you see a haired, inspired student scribbling furiously behind a mountain of books at one of the tables in the library, you can be fairly certain a law review article is being born. If the sweat and tears work their elusive magic, that article may join the others in print when issue 4 comes out next June.

For those who think they may have an interest in joining the Review, it should be realized that under current procedures, you must be invited to participate.

Fiscal Crisis

By Bill Blum

The Fiscal Crisis of the State by James O'Connor / St. Martin's Press, 1974, 276 pages, \$3.95

U.S. capitalism is in the midst of its worst crisis since the depression decade of the 1930's. Although cyclical instability and periodic recessions are nothing new for private enterprise, the current economic downturn is historically unique. The rise of "stagflation" (inflation plus stagnation) signifies that the nature of capitalism has undergone a qualitative change. Whereas the thirties presented a crisis of "laissez-faire" capitalism, we are confronted today with the demise of state-supported monopoly capitalism.

According to James O'Connor, the proverbial contradictions of capitalism have reemerged on a higher level as a "fiscal crisis of the state." Lucidly composed and entirely free of sectarian jargon, O'Connor's test is the most significant work to appear in the field of political economy since the publication of Baran and Sweezy's *Monopoly Capital* in 1966.

The analysis is based on two major premises. The first of these holds that the capitalist state must fulfill two fundamental and often inconsistent functions — accumulation and legitimization. That is, the state must create and maintain conditions favorable for the private accumulation of capital and simultaneously develop and sustain conditions of social harmony. This means that while the state must involve itself in the accumulation process, it must conceal and mystify the political character of its economic policies in order to preserve popular loyalty and support.

The second premise is that the fiscal crisis can only be understood in Marxist terms. On this basis, O'Connor divides government expenditures into two categories corresponding to the dual function of the state. The first of these, "social capital", consists of expenditures required to guarantee big business an adequate rate of profit. In Marxist language, social capital works to increase "surplus value" (the source of profit produced by wage labor). It does this in two ways — through projects and services which increase the productivity of labor (e.g., state-funded industrial development parks) and by means of programs that contain wages within acceptable limits by lowering the reproductive costs of labor (e.g., social security and unemployment insurance). Through measures such as these the state has socialized many of the costs of production which formerly accrued to private capital.

The second category of government expenditures, "social expenses", deals with projects and services that operate to fulfill the state's legitimization function. The prime example is the welfare system, which is designed to preserve social peace among the underprivileged.

After examining these concepts in depth and exploring the political determinants behind the allocation of state finances, two conclusions of central importance to an understanding of the economic malaise of the seventies are drawn. Conclusion number one is that the steady expansion of government spending and the growth of monopoly capital are mutually reinforcing. State expenditures of social capital facilitate expansion in the monopoly sector, which in turn increases the need of monopoly capital for ever greater government outlays of social capital. And because the growth of monopoly enterprises is accompanied by unemployment, government spending on social expenses must also continually mount. These factors make for larger and larger federal budgets.

Conclusion number two is that the state's role in supporting the monopoly economy is a contradictory process which tends toward political and economic crises. The contradiction consists of the fact that while the state has socialized a substantial share of the costs of production, the social surplus (i.e., profits) continues to be privately appropriated by the capitalist class. This results in the fiscal crisis of the state, which O'Connor defines as a "structural gap" between state expenditures and state revenues. As its commitments outrun the means of financing them, government resorts to compensatory spending. (As of this writing, the public debt of the U.S. government exceeded 475 billion dollars.) The end product of this process is inflation, which ultimately undermines both the legitimacy of government and the ability of private capital to expand.

So what lies ahead? As O'Connor asserts, there is only one (temporary) way out of these contradictions for capitalism. Corporate planners have whipped up the idea of a "social-industrial complex" to parallel the present military-industrial establishment. The complex would consist of a massive program of domestic service projects, ranging from revamping public school systems and police forces to constructing mass transit networks, financed by the federal government and undertaken by monopoly capital for an assured profit. In this way, big business would expand into areas which have traditionally been the exclusive preserve of the state.

Although the social-industrial complex would not remove the contradiction between socialized production and private appropriation of profits, it would mitigate its effects. Apart from underwriting profits for business, the complex would create many new jobs for the impoverished residents of America's urban ghettos. The consequent increase in employment opportunities for the welfare class would concurrently widen the tax base (and thus enlarge state revenues) and gradually diminish the need for future welfare spending. To use O'Connor's terminology, social expenses would be transformed into social capital. In one stroke, the fiscal crisis would be ameliorated and the legitimization and accumulation functions of the state accomplished.

Politically, the social-industrial complex would require an even tighter organic fusion of the national state and monopoly capital than presently exists. Strictly speaking, this would constitute fascism, although of an ostensibly more benign character than that of its classical predecessors.

It goes without saying that the social-industrial complex is a long way from fruition. The Ford administration in particular appears committed to an out-moded variant of Keynesian economics — indeed, watching Gerry on TV lately has evoked images of Herbert Hoover and pre-Keynesian fiscal policy.

(Continued on page 6)

This invitation may be acquired in two ways. The first involves placing within the top 10 percent of your class. Second, you can be invited by performing well in a writing competition held each semester. Our Review was among the forerunners in instituting this alternative manner of selecting personnel and we feel it is an excellent method of acquiring top writers in addition to grade selection. Once invited to join the Review, there is no distinction made between participants with reference to manner of selection. As a matter of fact, no one knows or really cares. It's your performance from then on that will determine your success and a possible Editorial position.

It is hoped that this short article will induce you to start thinking about the possibility of the San Diego Law Review in your future. Before long, preparations will get underway for the Spring Writing Competition. At that time a general meeting will be held to further acquaint you with the Review and competition procedures. Up until then however, I or any of the Review personnel will be happy to answer any questions you may have. Feel free to drop in the Review offices on the second floor of the library and talk to us.

by Tomas Key

Wohlmuth Interviewed (Part I)

Students constitute an energy field — a source of power from which the entire university derives. Professors should be regarded as Primary Resources — upon which student energy focuses in order to gain direction. The following interview was plucked from one of the richest legal plums in this institution with the hope that students will be better able to plug themselves into this resource, and in so doing add to its power value.

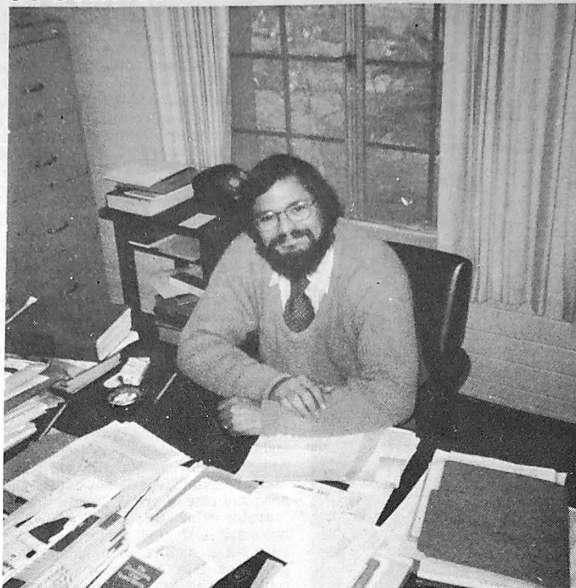
Professor Paul C. Wohlmuth who is hopefully more than less the subject of this interview, graduated from the University of Pennsylvania's Wharton School in 1960 (B.S. with Distinction — from what it has not been revealed). He then took a J. D. from Yale, which, I understand is a law school back east. What does graduation from Yale mean? At the very least, in his own words, "an exposure to vigorous legal realism". I picture Llewellyn penetrating the Throne of the Virgin, the Bramble Bush. For those who wonder about the other institutional background noises, Professor Wohlmuth has also clerked for the Supreme Court of Pennsylvania, worked in a private law firm, and taught a wide spectrum of legal topics at the University of Toledo Law School and at his alma mater, the University of Pennsylvania.

If anything turns up according to intentions, you will see below, in significantly juxtaposed sequence, the following subtitles: The Grading System, The Elevating Process, The Classroom, The Constitution, Watergate, The Soul, Summary, and finally a brief discription of the cosmic context in which this interview takes place. As I was putting this together I noticed that I couldn't quite place one of the quotes I wrote down into the sequence. However, I think it is such a brazen and seminal remark that I would rather kick myself than omit it. And so I give you, Our Professor Wohlmuth, who said:

"You must start with Truth. Short of that, you must have the desire to learn the Truth. Short of that, I believe there will only be failure."

— The Grading System —

The Professor is highly critical of the grading system. Nor does he excuse himself for being an active participant in its perpetuation. However, when once the role of Grader is assumed, it is difficult for him NOT to make the simple identification of what is "passing" work, and what is "failing". As an optimist regarding human character and fate, the Professor would prefer a self-motivated system: "People are capable of taking joy in doing something well. This provides motivation from within. We don't need external threats." Indeed, Wohlmuth implies that internal individual criteria would be more efficient in the long run. He adheres to the school of thought which regards the Human Mind as the



greatest wasted resource. The NEED for grades should NOT be assumed.

Grades are like little dinosaur bones. We have to re-evaluate these Found Objects of our lives. We must ask certain questions. At this point; will more laws enhance order? Will more policemen solve the crime problem? Will more psychiatrists prevent mental illness? Do grade motivate students? Or put another way, is the person so motivated, the kind of person we want in the profession?

I think most of our professors suspect that grades are self-defeating. Yet we continue to regard these quaint instruments with the weight-value of practical necessities. It is this distortion of values in our profession which engendered Watergate. That's Nixon and Ehrlichman next to you taking practice exams. Don't think I am getting away from the interview with all of this ravine. I'm just doing my part to make it relevant.

One suggestion the professor makes with regard to alternatives has to do with our evaluation of the evaluation process. One is reminded of the "justiciability of justiciability" issues which hag-ride our Courts. And with that comparison in mind, we shouldn't be too hard on ourselves. But the question as to the significance of the "Grade" must be evaluated. Wohlmuth would not give grades the weight which our system seems to give them. It is true that if morality is to have any meaning, individuals must be responsible for their own work. But this

principle not only lays a burden upon the individual, it also protects — preserves as inviolable and justifiable those acts of the individual which are not destructive of another. And what is the harm or even undesirability of the student who earns a low grade? Clarence Darrow and F. L. Bailey made very poor grades. Ehrlichman and John Dean made very good grades. What has been the harm to the profession?

Professor Wohlmuth emphasizes that it is important to "re-evaluate and communicate the true meaning of the content of the various grades: Failure is much the mirror-image of genius. Both require courage in isolation from an artificial norm." And as for the "average" grades, the professor recognizes "a tremendous subtlety in what passes for neutral ground. The average is not a non-entity."

— THE ELEVATING PROCESS —

If it appears that the interviewer is not inserting much personal material into this article on Professor Wohlmuth, it is because very few quickly little experiential details made it into my notes. The fact is, an elevating process occurs in the interview. The professor is not unwilling to speak of personal matters so much as he is simply uninterested. We can take it for granted that he has had a great many heavy experiences.

Now let me say that I have always been suspicious of intellectuals — or anyone who did not prattle at length upon the last installment of Gilbert's Place or the latest sport feat. After all,

the absurd exaggeration process of Civilization has more or less transmogrified the once-glorious beauty of Intellectual Matters. And personally, as a rule I (1) hate to live in the past, and (2) break out in hives whenever I hear something ugly, absurd, or perverse.

In fact, I hesitated to interview Wohlmuth in the first place because I was afraid that he might turn out to fit that horrid description: Snotty Intellectual. There is, after all, the fact of his professor profession; and despite the wide range of legal subjects in which he has taught and published, his major work at present is rumored to be an opus on "Jurisprudence". This does not mean, as one might hope, that he studies sensible or prudent law. In the entire American language, there is no such thing. The professor's interest is in trying to come up with "a framework in which to contrast legal rules and doctrine with policy and theory." Sure enough, he sounds like a jurist-prude.

And there are further indications that this professor MIGHT be one to avoid. For one thing, he comes from an "orthodox middle class background". You remember the middle class? Marx described it as having a perverse obsession with The Law. (What do the poor and the powerful care?) And in the interview, Wohlmuth even admitted that he was married to the woman that he lives with.

Finally, Professor Wohlmuth occasionally makes remarks to his students which are so blatantly naive that they are adjacent to being cruel. He once primed a class I myself was attending with the cheerful declaration that in his day "students came to law school in order to learn how to think."! Now that is simply rubbing salt into a deep wound. In today's world, such references to Thought should be wrapped in the moist mentally coverings with which we silence and forget our Truths. You need not be told that it is gracels to stare at your peers while in restrooms. And you should not try to think while in law school. (Get with the Program!)

However, ... The General Rule stated above re the actuality of Thought has a powerful exception incarnate in the flesh-mind of Professor Wohlmuth. This is not just a demonstration of wool-sacking-it-to-you during Positive-Reinforcement-for-Professors-Week. Verily, the more intimate one becomes with Wohlmuth, the closer one gets to a truly fine human being who not only highly values mental activity but also evokes a nobility of soul which is never dated. There is at once compassion and detachment befitting a scholarly professional. His expertise is not limited to the secured modes and plateaus, but is an infinite projection deriving from that Ultimate Elevating Process, THE MIND ...

(Continued next issue)

Fear of Flying

FEAR OF FLYING. Erica Jong. 311 pages. Signet Paperback. \$1.95.

This fearless novel has become a flying success. Taking off on a Pan Am flight to Vienna, Isadora Wing is more

afraid of flying than ever. Her fingers and toes turn to ice and her stomach leaps upward. She is afraid of her own intellect, independence, literary success, and of her erotic fantasies. In

a bold determination to overcome these fears, Isadora leaves her psychologist husband in Vienna in search of the "zipless f*ck."

To Isadora, the zipless f*ck represents a sexual relationship in which there is complete freedom. It is free of ulterior motives and power struggles. "The man is not 'taking' and the woman is not 'giving.' No one is attempting to cuckold a husband or humiliate a wife." Isadora believes that in acting out her sexual fantasies she will at last find freedom to conquer her fears.

This results in a sexual jaunt through Europe with the man she believes to be the zipless f*ck of her fantasies. Ultimately, Isadora realizes that all is brazen and unabashed escapade is all desperation and depression masquerading as freedom:

The point is that fantasies are fantasies and you can't live in ecstasy everyday of the year. Even if you slam the door

and walk out, even if you f*ck everyone in sight, you don't necessarily get closer to freedom.

Freedom to overcome her fears. Isadora discovers, can only be found in a determination to take her fate in her own hands. This determination promotes real independence, not the determination to act out her sexual fantasies, to run away with the zipless f*ck and hope that he will overcome them for her.

Erica Jong has succeeded in exploring a feminine virtue that has been neglected by other contemporary women novelists: that women have erotic fantasies, too. She has created a female Portnoy who is unashamed and uninhibited in confessing her sexual curiosity. Yet Jong has not merely written an erotic novel. SHE IS TELLING WOMEN THAT NOT UNTIL THEY TAKE THEIR FATE IN THEIR OWN HANDS WILL THEY DEVELOP THE INDEPENDENCE TO OVERCOME THEIR FEARS.

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"Suppa Man" Stops a Drive



Padilla Gets One Blocked

USD Crushes Cal. Western: 37-12

by Bill Hobman

A record-breaking crowd of 102,480 jammed Our Lady of the Turf Stadium on Friday, January 31 to view what promoters had billed as "The Game of the Century." The pigskin thriller for which this throng had gathered was the first annual USD-Cal Western All-Star Game.

In the opening moments of the game quarterback Steve Tanner connected with Justis Spillner on a 50-yard pass play for USD's first touchdown. Shortly thereafter "Queenie" hit Bob "Football" Launders with a long bomb for the home team's second score of the day.

Midway through the first half, a broken pass play forced Cal

Western's quarterback to scramble toward the sidelines. Seeing an opening he sped toward the goal line and dazzled the crowd with a 60-yard TD run. Raymond Mercado made a valiant effort to reach the runner but was hit hard by a Cal Western lineman and flew high into the air. Smooth Dog is currently resting comfortably at his Mission Beach estate and doctors expect him to be back on his feet within a month.

A third Steve Tanner touchdown pass, this time to Mike Brown, boosted the lead to 18-6. Michael Padilla, a former quarterback at San Diego State, passed to Jeff Atterbury, Little All-American quarterback

from Cal Western, for the extra point and the Advocates headed for the locker room with a 19-6 halftime lead.

Halftime entertainment was provided by the Western State College of Law marching band which performed its award-winning show "The Development of Habeas Corpus Through The Ages." Faculty members Jack Kelleher, Rudy Sandoval, and Dwan Kerig followed with a crowdpleasing juggling act.

Offensive highlights of the second half included an 80-yard kick-off return by Bob "Football" Launders made possible by Scott Wilson's superbly executed block. Ironically, the Cal Western kicker had attempted to keep the ball away from demon-like Glenn Triemstra, but his strategy obviously backfired as Launders' run

boosted USD's lead to 25-6.

The comedy team of Tanner and Little combined on a 58-yard touchdown pass, assuring the home team of an impressive victory. John Little amused the crowd throughout the game with his entertaining impersonation of a football player. USD's final score of the day came as "Pretty Boy" Padilla threw a 33-yard touchdown pass to Glenn Triemstra.

A noteworthy defensive performance was turned in by Greg Johnson who broke through the Cal Western line on several occasions and blocked at least one attempted pass. Pete Ayre, USD's brilliant defensive end, spent most of his time in the Cal Western backfield repeatedly halting the opposition's rushing efforts.

Harry Elias destroyed Cal
(continued on page 6)



Launders Defends Against the Pass



Who Was That Masked Man?

Staff Photos



Edson Almost Goes All the Way



Queenie Completes With a Block from Scotty

(Continued from page 3)

Nevertheless, O'Connor's message rings clear: American society stands at the threshold of a new era. It is axiomatic that once a social system exceeds its historic limits, a new order must take its place. The important question is not whether there must or will be change but rather what kinds of change are both possible and desirable. The corporate elite has given us its answer in the social-industrial complex. Orthodox Marxists (among whom I would not number O'Connor) provide us with a humanized model of Soviet-style state socialism.

Conventional wisdom has represented the Soviet and American models as the only forms of social organization suitable for the modern world. This position, I submit, is a myth that has emasculated all species of critical thought. What has been lost by the political left in its militant negation of "what is" is the sense of historical possibility, the utopian vision of "what could be."

For those who believe that the liberation of humankind is something more than a threadbare cliché, what is required is a social and political perspective that puts forth alternatives to every facet of advanced industrial society (whether monopoly capitalist or state socialist) and that helps people comprehend the issues which confront them in the contemporary class-structured polity. The Fiscal Crisis is a necessary research material for this project but it is not sufficient.

If a truly liberatory society is one in which an equitable distribution of wealth coexists with a thorough decentralization of power, then it is clear that we must begin to discuss the concept of community. As the term suggests, "community" involves commonality, a sharing and a consciousness among its members that each is a part of a larger moral whole. Humanity has known all manner of states and all kinds of societies but it has only episodically, as in the great Spanish Revolution, experienced *comunitas*.

* In Marxist economics the term "surplus value" is used to designate the wealth created by labor in excess of the wealth received by labor in the form of wages. Thus, for example, if a worker adds a value of \$100 to a product in the course of a day but receives only \$50 for his work, he has created a surplus value of \$50. Surplus value constitutes the gross profit of a business.

Table I

Examples of Industries in Which Leading Firms Have
"Substantial Market Power"

Industry	Number of "Leading" Firms	Approximate Share of These Firms in Relevant Markets
telephone equipment	1	80-90%
computers	1	70-80%
heavy electrical equipment	2	70-80%
iron and steel	4	50-60%
drugs	4	70-80%
soaps	3	60-70%
aircraft	3	80-90%
aluminum	3	80-90%
dairy products	3	60-70%
cereals	2	60-70%
soup	1	90%

Source: William Shepherd, *Market Power and Economic Welfare*
(Random House, 1970), pp. 152-153.

Table II

Concentration of Assets and Profits in American
Manufacturing Corporations, First Quarter, 1968

Corporations	Number of Companies in Category	Assets of Firms in Category as Percent of Total Manufacturing Assets	Profits of Firms in Category as Percent of Total Manufacturing Profits
Having Assets of:			
\$1 billion and over	78	43	49
\$250 million to \$1 billion	194	21	20
\$10 million to \$250 million	2,165	22	19
under \$10 million	185,000*	14	12
Total	187,437	100	100

*Estimate

Source: *Studies by the Staff of the Cabinet Committee on Price Stability* (Washington, D.C., 1969), p. 92.

Table III

The Percentage of Total Assets of All Manufacturing Firms
Held by the Largest 100 Manufacturing Firms

Year	% Held by Largest Firms
1925	35.1
1931	42.3
1939	42.4
1948	40.1
1955	43.8
1960	46.0
1965	47.6
1971	48.9

Source: *Studies by the Staff of the Cabinet Committee on Price Stability* (Washington, 1969), pp. 45, 92; U.S. Bureau of the Census, *Statistical Abstract of the United States*; 1973 (Washington, 1973), p. 483.

An American Metaphor by Ed Danelski

An American Verdict by Michael J. Arlen. Anchor Press/Doubleday, 1974.

At around 4:45 in the morning of December 4, 1969, fourteen policemen in plain clothes, armed with twenty-seven firearms, arrive at an apartment in the twenty-three hundred block of West Monroe Street to present a search warrant. It could be New York, Philadelphia, St. Louis, or Los Angeles. On that particular December 4, West Monroe was in Chicago.

Said Sergeant Groth: "We tried our best to avoid loss of life or wounding anyone. I called on our men to stop shooting, and they did. I asked the other people to surrender, shouting that we had a search warrant, and they didn't obey. A man's voice shouted from one of the dark rooms in the place, 'Shoot it out!' — and they tried it. Our men had no choice but to return fire."

At about six on that same morning, the bodies of Fred Hampton and Mark Clark arrive at the Cook County Morgue. Hampton was 21, the head of the Black Panther Party in Illinois. Mark Clark was 22. Four Panther members who were wounded by police bullets arrive at Cook County Hospital. Three others who had been present in the apartment are already incarcerated at the Cook County Jail. The seven survivors are charged with attempted murder, armed violence, and unlawful possession of weapons. Chicago's Daily News runs this headline: "PANTHER CHIEF, AID, KILLED IN GUN BATTLE WITH POLICE."

Brenda Harris said: "The other policemen — they were saying back and forth: 'There's some over here, get them.' And then another said: 'I think there is one over back there, get him.' And he kept shooting until I guess he figured, you know, everybody was dead, and then he stopped, and then while he was shooting I heard one of the occupants back in the back say: 'Don't shoot any more.' But they kept on shooting."

In the afternoon following the shootings, Bobby Rush, a Panther, stands on the steps of the apartment and, while being interviewed by local T.V., declares: "Hampton was murdered in his sleep."

A Federal Grand Jury report estimated that between 83 and 97 shots were fired by police into that apartment; between 12 and 25 were fired by 12-gauge shotguns, 19 from a carbine, and between 44 and 48 from a Thompson submachine gun. One shot was accounted for as having come from a Panther weapon. One single shot.

Sergeant Daniel Groth commanded the police detachment involved with the West Monroe Street "raid". Brenda Harris was one occupant of that apartment. Michael J. Arlen is a writer with something important to say. The cover of *An American Verdict* promises an account of the trial of the State's Attorney (Cook County's D.A.) and twelve of the policemen who participated in serving that search warrant on that December morning. The reader gets this, and much, much more.

Those thirteen defendants had been indicted by a Cook County Grand Jury, not for any police action taken during the raid, but for "conspiracy to obstruct justice". Nine of the grand jury's twenty-one members had voted against even that charge. This book is written against that backdrop of that trial, which ends with what the author feels is the only result possible — an American verdict.

Arlen writes at one point:

It's hard to know exactly what happened in the course of the Monroe Street raid because so many conflicting accounts came out of it, and each side — true to its own logic, and history, and private code — has done either a small amount, or a large amount, of lying.

Make no mistake about it, it's clear from the early goings on where Mr. Arlen's sympathies lie. But Arlen is somehow able to resist the temptation of assuming a totally didactic posture in relation to his subject matter. He's confident that his facts speak for themselves. But, and large they do. This book is based largely on a Grand Jury Report, and on research papers done by the Chicago Law Enforcement Study Group. I somehow get the distinct impression that Mr. Arlen would welcome responsible challenges to his facts.

Arlen displays both mastery of his subject matter and a knack for keeping his material moving and readable. He includes brief essay-type depictions of Chicago and its politics, of the American Irish and of the Black Panthers. He takes time to describe the participants: Richard Daley, "seventy years old and an emperor"; State's Attorney Edward Hanrahan, "a Chicago-Irish boy who got beyond the usual schools..."; Special Prosecutor Barnabas Sears, "his manner and speech are somewhat Darrowsque..."; and others. But to end discussion of his book here would be to relegate Mr. Arlen to the class of "writers". This is unfair — both the book and Arlen deserve closer scrutiny.

Arlen can inject whimsical rhetoric without over-burdening his reader. After one defense-prosecution exchange he writes: "Both sides now appear to be flawed, and the question is: is there a distinction between the flaws; and who will note it?" At the beginning of one particularly moving and thought-provoking passage he writes: "It's hard to know about the way that any of us connects with the past, with his past, or with common events that happened... And Hampton, where is he — other than dead?... And His friends?... and the police?"

Arlen writes philosophy and politics, equally adept and disarmingly subtle while going about both at the same time. He seems to write with the confidence that comes from conviction.

This is not a case book, not a drama, not even journalism or history. Studs Terkel has called it a metaphor. I'd agree — *An American Verdict* reflects our law and our society. A reader will come away from this book thinking long and hard about the incident that took place back in December of '69, about the forces at work there and the lives involved, about the legal machinery that produced the end result, and about the society that could accept that result and live with it. If you can squeeze this book in between Prosser on torts and Gilbert's on remedies, I promise you'll find it worth your while.

By the way, on Wednesday, November 1, 1972, Judge Philip Romiti disposed of indictment No. 71-1791 by writing: "A judgement of acquittal is entered as to each defendant and each defendant is discharged." *An American Verdict*.

Crushing

(continued from page 5)

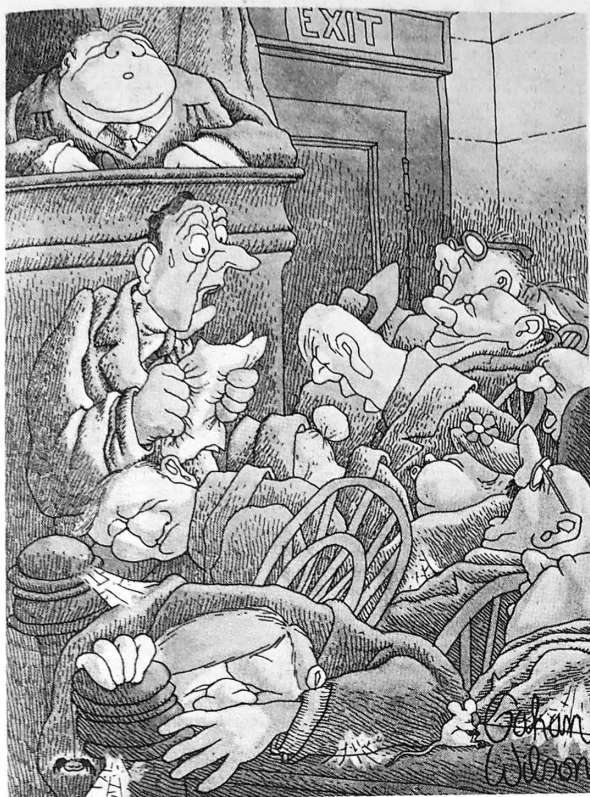
Western's offensive line two at a time and caused the ladies in the stands to titter with delight with his loud guttural noises. Tough Jerry Suppa battered Cal Western's linemen and on one occasion threw their bewildered quarter-back for a 20-yard loss.

Smooth Dog Mercado and Steve Hasket each halted serious Cal Western drives by intercepting passes deep in USD territory. Others who turned in outstanding performances include Neil Trop (Grog no. 1), Scott Wilson (Grog no. 2), and Steve Rupp.

As the sun set over Our Lady of the Turf Stadium and the few remaining fans drifted toward the parking lot, this reporter was granted an in-

terview with standout quarterback Steve Tanner who had just negotiated the sale of his autograph to his son Matt. When asked to comment on USD's stunning 37-12 victory, Tanner remarked, "I sure played one hell of a game out there today. In fact, I think I should get the game ball."

Assistant Dean Herbert Lazerow, reached at his home late Friday evening commented that "the victory over the Cal Western All-Star team proves that USD is the best law school in the city. A substantial tuition increase based on the results of the game would not be unreasonable." As this paper goes to press the increase has not yet been finalized.



Moot Court ... Criminal

The Criminal Law Moot Court competition was held Monday, Jan. 27 at the County Courthouse. The problem involved a prowler investigation conducted by a private security patrol which turned up the ubiquitous marijuana patch. Contestants wrote memoranda of law and presented oral argument before a panel of the "California Supreme Court", consisting of local prosecutors and defense attorneys.

The overall winner of the competition was Gary Schons. Tom Grady placed second, and Susie Wondries was named the best advocate.

After the competition, the participants and attorneys repaired to the Cuyamaca Club for a no-host cocktail party and the presentation of awards.

Gary Schons, Tom Grady and Kay Kuns were selected to represent USD at the Southern California Regional competition, to be held in Los Angeles on March first and second. We're sure that they will continue our winning tradition and carry the standard onward for the greater honor and glory of USD.

Ed. Note: The editors disclaim any responsibility for the last sentence of this article.

CVW-11 squadrons from NAS Lemoore (VA-192, VA-193) and NAS Whidbey Island (VA-52, VAQ-136) are presently operating from NAS Miramar, hoster by the Fighting Aardvarks role in Readix 1-75

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The Law Of The Bird

(Frigalment Importing Co. v. B.N.S. International Sales Corp.,
1960 190 F. Supp. 116,

... Paul M. Longo

Come ye one and come ye all
To the U.S. District Court Chicken Brawl.

Defendant B.N.S. was new in the trade
Of selling its poultry when offers were made.
When Stovick suggested that the defendants export,
B.N.S. never imagined they'd end up in court.
Frigalment wanted chickens, tons and tons,
And B.N.S. promised they had just the ones.
Two contracts were signed in terms less than frantic
To ship all those birds across the Atlantic.

The plaintiffs complained when to their chagrin
They found out what shape the old birds were in.
"Fowl isn't fair," Frigalment frowned,
"Those birds look to be on their second time 'round,"
"Do you want them or not?" B.N.S. quickly queried.
"Okay," said the Swiss, while their salesmen scurried.
B.N.S. shipped on from the ports of Uncle Sam.
Then Frigalment changed its mind in old Rotterdam.

The courtroom was packed with experts in their field.
"Smells like a hen-house," one spectator squealed.
Testimony was heard on the concept of chicken.
Then Judge Friendly declared with his lips-a-lickin'
"Where's Colonel Saunders, he's the only one missing?"
The gavel fell twice to silence the hissing.

The plaintiffs proceeded and with Continental thinking
Convinced old Friendly they'd surely been drinking.
Somehow the judge saw apples in their case,
But quickly moved on when one missed his face.

The plaintiff's sought to explain chickens in German.
"Huhns" sneered the judge, "I remember those vermin."
In the courtroom hung a flag, blue, white and red,
"Your turn, B.N.S.," was all Friendly said.
"Fair is fowl and fowl is fair,"
Defendants' attorney said from his chair.
Then his voice rose to the screech of a vulture,
"I call the U.S. Department of Agriculture!"

John Wayne met the "Huhns" in the courtroom that day,
And of course the plaintiffs lost, for it happens that way.
Now Hollywood plans a movie, the lead not to John Wayne.
Instead the big bird goes to Shirley MacLaine.

Outstanding Paris Faculty

The University of San Diego summer Institute on International and Comparative Law in Paris has announced an outstanding faculty for its program July 1-August 9, 1975.

Professor Russel Weintraub of the University of Texas will teach a 3-semester-credit course in Comparative Conflict of laws. Professor Weintraub is the author of a casebook and a treatise on Conflicts, as well as numerous articles. The course will cover the same materials as most domestic Conflicts courses, but will be heavily supplemented with comparative insights.

Professor Friedrich Juenger will teach a 3-semester-credit course in Comparative Law, an introduction to comparative methodologies and to the systems derived from the Napoleonic and German Codes. Professor Juenger teaches at Wayne State and the University of Freiburg, and will visit next year at UC Davis. He is the author of a book on Comparative Conflicts, and is presently revising Professor Ehrenzweig's treatise.

Professor Joseph Sax of the University of Michigan will offer a 1-semester-credit course in Comparative Environmental Law. The course will examine various techniques for environmental protection employed throughout the world on different environmental problems. Professor Sax is the author of books on Environmental Defense Strategies and Water Law.

A 1-semester-credit course in African Legal Systems will be offered by Professor Harrison Dunning of UC Davis. The course will examine basic foundations of African Law, focusing heavily on land reform and development problems. Professor Dunning has written numerous articles in the field, and was formerly on the faculty at Haile Selassie I University in Ethiopia.

Professor Ralph Folsom, who is currently at the University of Warwick, England, and will be joining the University of San Diego faculty in 1975-76, will teach a 2-credit course in International Business Transactions. Professor Folsom is the author of books on Common Market Competition Law and Trusts.

A 3-credit course in European Communities Law will be given by San Diego Professor Herbert Lazerow. The course will focus on institutional developments and the emerging competition law of the communities. Professor Lazerow is the author of articles on international taxation problems and EEC competition law.

Roughly 50 students from 6 countries are expected to participate in the program, which is jointly sponsored by the Institut Catholique de Paris and the Ecole Supérieure des Sciences Economiques et Commerciales (student may elect up to 7 credits in the program). Distinguished European faculty and practitioners will join the program. In addition, there will be visits to places of legal interest in Paris, such as the ordinary and administrative courts and the French Senate. Sightseeing trips will also be organized.

People Outlines

Bob McDonough

Students who have outlines from last semester can loan them to the SBA before giving them to friends or chucking them in the trash can. The outline pool is an opportunity for student co-operation: a chance for students to share their knowledge and help each other make it through law

school. We competed against each other during exams, now the grades are up and some students are failing as others succeed. This is a time for us to pick each other up. Sister, your fellow student isn't heavy, he's your brother. Leave your outline at the SBA office (put your name and phone number on it if you want it back).



De Minimis

by
Diane Ward

*There was a young lawyer named Rex
With diminutive organs of sex
When charged with exposure
He retained his composure
"De Minimis Non Curat Lex"*

Ernesto Miranda, of the famous ease bearing the same name, was stopped recently on a traffic violation and later charged with being a convicted felon in possession of a handgun, driving on the wrong side of the road, and driving on a suspended license. When asked if Miranda had been advised of his rights, Detective Jerold Warren replied, "Everybody advised him of his rights."

During a mid-December Interlocutory hearing at the North County Vista Courthouse, the Judge was questioning the Petitioner for Dissolution, in this instance a most disgruntled husband. Asked the judge, "Does your wife have any incurable mental or physical disabilities?"

Answered the husband, "Only that she can't stay away from other men!"
Judge . . . "The law does not recognize that as a disability, although it may be to you . . ."

Ms. Joan Caucus of Doonesbury cartoon strip fame was recently accepted for admission to Georgetown and Boston University law school, following applications made in her behalf by the strip cartoonist. Other applications made to law schools throughout the country were rejected for various reasons. Cal-Berkley law school encountered a problem upon discovering that Ms. Caucus does not have a social security number. Following the practice of assigning to such persons the social security number of a person not likely to register at the university, officials assigned her No. 567-88-0515, ex-President Nixon's number. Cartoonist Trudeau wrote on her behalf to the University saying that she was "reluctant to accept the Social Security number of a known felon," and offered his own number.

There's a bright ray of hope for USD Law School Evening Division students who have become all too accustomed to the mediocre quality of the education they have been offered by inexperienced "Adjunct" Professors, and to wasting their time and money with elective courses while becoming more and more apprehensive about the matter of courses required on the fast approaching bar exam. Students who found themselves registered for a Friday evening three hour Conflicts course have been pleasantly overwhelmed by Professor Barbara Gamer, (on loan from Cal-Western Law School). Her presentation of the subject matter reflects thorough preparation — a welcome change from "professors" who spend the entire class period reminiscing about war experiences, etc., and when challenged to teach the subject have been known to respond, "I'm not here to spoon feed you."

From the wires of UPI comes word of a 25-year old man dressed in women's clothing who reported his purse was snatched. The transvestite, who listed his occupation as greenhouse attendant, told Seattle police that a man in his 20's jumped from a passing vehicle and grabbed the white leather bag, breaking the shoulder strap. The victim suffered minor cuts and bruises when he was dragged 30 feet on the outside of the car when he attempted to chase the suspect.

Ross Brupbacher is a law student at Cumberland School of Law at Stamford University, Birmingham, Alabama, taking Evidence, Admiralty, Income Tax and Business Organizations. Football fans might also recognize him as a pro-football linebacker for the Birmingham Americans of the newly formed World Football League. Asked about his semester plus 20 pro-games, the team co-captain responded "I just don't like to be bored, and between football and law I never have the time to get bored."

ATTENTION WRITS: Prices at the University of Washington Law School
Snack Bar: hamburger 30c, cheeseburger 38, double burger 45c, soft drinks 12c, malts 32c, shakes 30c.

Formerly a violation of the old Canons of Professional Ethics, the use of credit cards for payment of legal fees and expenses is now permitted under new ABA rules. The only advertising material allowed will be the use of a small insignia "to be tactfully displayed" indicating the lawyers participation in the plan.

STAR TREK FANS UNITE!

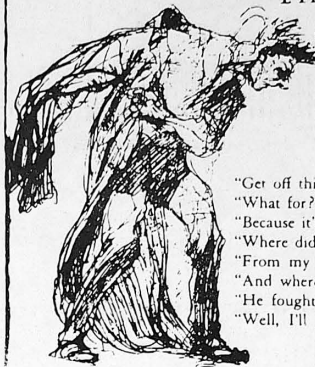
Fans of the TV science fiction show "Star Trek" which has been off the air for five years now are trying to get Paramount Pictures to film a full length movie starring many of the old regulars. Success of the film would encourage NBC to reconsider a revival of the series. Reruns of the original 79 episodes still outdraw other programs in a number of cities with NBC receiving over 100 letters each week protesting cancellation of the show. To participate in the nation-wide campaign supporting a full-length movie, write to:

Frank Yablans, President Paramount Pictures
5451 Marathon Street
Hollywood, California 90038

Poetry Corner

Private Property

BY CARL SANDBURG



"Get off this estate."
"What for?"
"Because it's mine."
"Where did you get it?"
"From my father."
"And where did he get it?"
"He fought for it."
"Well, I'll fight you for it."



From A Law Student's Garden Of Perverses

by Thomas Key

(232)

In learning what to overlook+
I recommend a big law book;
Choose a tome of size and weight,
You'll learn what people love to hate.

+Slightly paraphrased notion of wisdom
developed in W. James' Principles of Psychology.

Uses

You would wear me
like an old sweater,
familiar, and
comfortably shabby.

I have grown brittle
with waiting,
a cloak of straw,
or glass,
I shatter
when you touch me.

You are surprised
by how freely
your blood flows,
how sharp I have become
in your absence.

Roy

His boat
drifting empty
nosed its way home
into the harbor:
This morning
the dory,
paddles gone,
broken was found
on the rocks.
We are still
wishing for a body,
a shirt, a note,
absolution. We knew
the boat was rotten,
his life rotten,
waved him off.
It is me out there floating,
or is it you,
smiling face down in the water.
This has all happened by choice.

Ruth Ann Wishik

Note: Do not reprint without permission.

FAMOUS SAYING

Reality is for people who are afraid
to face drugs.

Thought for the day:

"Culture is, roughly, everything we do and the monkeys don't."

The WOOLSACK

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